

KINGSLEY SZAMET & LY
ERIC B. KINGSLEY, Esq. (SBN 185123)
eric@kingsleylawyers.com
LIANE KATZENSTEIN LY, Esq., (SBN 259230)
liane@kingsleylawyers.com
JESSICA BULAON, Esq., (SBN 340749)
jessi@kingsleylawyers.com
16133 Ventura Blvd., Suite 1200
Encino, CA 91436
(818) 990-8300, Fax (818) 990-2903

Attorneys for Plaintiff and the Proposed Class

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF TEHAMA**

NATALI ASCENCIO an individual, on
behalf of herself and others similarly situated,

PLAINTIFF,

v.

KUMAR HOTELS, INC.; and DOES 1 thru
50, inclusive,

DEFENDANTS.

CASE NO. 23CI-000020

[Case Assigned for All Purposes to Dept. 5]

*[Filed concurrently with Motion for
Preliminary Approval of Class Action
Settlement, Declarations of Liane Katzenstein
Ly and Jonathan Paul of Xpand Legal
Consulting, Inc, and Proposed Order*

**DECLARATION OF NATALI ASCENCIO
IN SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Date: May 28, 2024

Time: 8:30 A.M.

Dept.: 5

Complaint Filed: January 24, 2023

FAC Filed: April 3, 2023

Trial Date: None Set

DECLARATION OF NATALI ASCENCIO

I, Natali Ascencio, state and declare as follows:

1. I am a competent adult, over the age of eighteen and the Class Representative Plaintiffs in the matter of *NATALI ASCENCIO, an individual, on behalf of herself and others similarly situated v. Kumar Hotels, Inc.*; and DOES 1 thru 50, inclusive, Tehama County Superior Court, Case No. 23CI-00020. The foregoing is based upon my personal knowledge and, if called as a witness, I could and would competently testify thereto. I am making this sworn declaration in support of my claims and the claim of my co-workers, and in support of my qualifications as Class Representative. If called as a witness, I could and would competently testify as to the truth of the matters set forth herein.

2. I worked as an hourly non-exempt employee in different positions, including reception, housekeeper, and host, at different locations for Defendant Kumar Hotels, Inc. (“Defendant” or “Kumar”).

3. I regularly did not receive compensation for all hours worked at the proper rate.

4. I regularly received inaccurate wage statements that failed to include meal and rest premiums.

5. I regularly did not receive thirty (30) minute uninterrupted meal periods within the first five (5) hours of my shift when working five hours or more. I also regularly was not provided with ten-minute paid rest periods for every major fraction of four hours that I worked.

6. I was not properly paid all wages at the time of termination or within seventy-two (72) hours of resignation.

7. I have spent significant time throughout this class action working with Class Counsel. Before filing this action, in January 24, 2023, I researched and identified Counsel that I believed could best represent the interests of the Class Members. I also assisted the attorneys with investigation and gathering of information including discussing my work experience and the experience of others that I had observed while working for Defendant and provided all relevant employment documents in my possession. In addition, I attended a full-day mediation on March 7. While at the Mediation, I actively participated in the discussions with the Class Counsel and

1 shared my knowledge and insights in order to help the Class obtain a favorable settlement.

2 8. Throughout the entirety of this litigation, I have maintained regular contact with
3 Class Counsel and assisted in any way possible by providing information and making myself
4 available as needed.

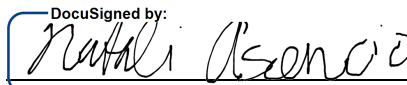
5 9. I was aware that by helping to initiate this lawsuit, my name would become known
6 and it was possible that my involvement in this matter could make it more difficult for me to obtain
7 employment in this field. Regardless, I believed it was important to proceed with this matter on
8 my behalf and on behalf of all others who were subject to the same problems during their
9 employment with Defendant.

10 10. Based upon my participation in this case, I understand the merits of this settlement
11 and I strongly support the settlement and believe it is fair and reasonable, and in the best interest
12 of the class. I believe this Settlement will benefit the Class.

13 11. It is my opinion that a fair and adequate Class enhancement for me as a Class
14 Representative is \$10,000.00. I believe that it is fair and reasonable in view of all of the work I
15 have performed in my role as a Class Representative. As Class Representative, I actively
16 participated in all stages of the litigation as detailed above and have always maintained the best
17 interest of the Class while performing my Class Representative duties.

18
19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct. Executed this April day of 30, 2024
21 at Red Bluff, California.

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DocuSigned by:

Natali Ascencio
Declarant

(PROOF OF SERVICE)
[CCP 1013(a)(3)]
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 16133 Ventura Boulevard, Suite 1200, Encino, California 91436.

On May 1, 2024, I served all interested parties in this action the following documents described as: **DECLARATION OF NATALI ASCENCIO IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT** by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

GRIFFITH & HORN, LLP

David R. Griffith

David@davidgriffithlaw.com

15360 Humboldt Road, Suite 3

Chico, CA 95928

☐ **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage fully prepaid at Encino, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY ELECTRONIC SERVICE:** I caused a true and correct copy thereof to be electronically filed using the Labor and Workforce Development Agency Electronic Filing ("EF") System (<https://dir.tfaforms.net/315>) and service was completed by electronic means by transmittal of the documents referenced herein on the EF System.

☒ **BY ELECTRONIC MAIL TRANSMISSION:** I caused the document to be send to the persons at the e-mail address(es) listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful. A pdf copy of which was sent via email to the below email address(es).

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 1, 2024, at Woodland Hills, California.



Michelle Tanzer